

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

FITZGERALD & ASSOCIATES, P.C.

649 Newark Avenue

Jersey City, NJ 07306

By: Sarah J. Crouch, Esq. (SC 1174)

Phone: 201-533-1100

Fax: 201-533-1111

Attorney for the Debtor

In Re:

WASHINGTON HERRERA

MADELINE HERRERA

Case No.: 12-28344

Judge: Sherwood

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (choose one):

1. ☒ Motion for Relief from the Automatic Stay filed by Haven Savings Bank, creditor,

A hearing has been scheduled for December 14, 2017, at 11:00 AM.

☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____.

☐ Certification of Default filed by _____,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (choose one):

☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):

The Debtor paid her Trustee payment timely and had rolled some portion of the arrears into the plan. The creditor failed to file a claim for that portion of the claim rolled into the plan in 2015. The Debtor is hoping to resolve this issue with the creditor.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 11/3/17

Date: 11/3/17

Wholie Herrera
Debtor's Signature

Washington Herrera
Debtor's Signature

NOTES:

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.